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Mohammed Samji

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EXAMINER

LY, ANH

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/729,841	SAMJI ET AL.	
	Examiner	Art Unit	
	Anh Ly	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-78 is/are pending in the application.
- 4a) Of the above claim(s) 12-18, 41, 50, 57, 58, 71 and 74-78 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 19-40, 42-49, 51-56, 59-70, 72 and 73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/25/06, 6/22/06, 5/25/06, 4/25/06, 3/31/06</u> | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is response to Applicants' Request for Reconsideration filed on 06/08/2006.

#### ***Response to Arguments***

2. Applicants' arguments filed on 06/08/2006 have been fully considered but they are not persuasive.

Applicants argued that, "there is no motivation or suggestion to combine Matsubara with Balfanz." And " ... impermissible hindsight." (pages 2-4 of Remarks/Arguments).

In response to applicants' argument that there is no motivation or suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cl. 1992). In this case, Matsubara (Pub. No.: US 2003/0225796 A1) and Balfanz et al. (hereinafter Balfanz) are from the same field of endeavor and both are directed to P2P sharing files or collaboration system over a securely Internet network (Balfanz's sections 0022, 0027-0028; Matsubara's sections 0044 and 0082 fig. 4). One having ordinary skill in the art would have found it motivated to combine the teachings of Matsubara and Balfanz because that would provide Matsubara's system the enhanced capability of file sharing

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method by utilizing the use of a list of file sharing group having member on the sharable virtual directory over the network (Balfanz's sections 0024-0025), into the system of Matsubara for the purpose of enabling pre-authorized devices to access and share those files securely (Balfanz's section 0001). Moreover, the examiner kindly submits that the applicants misread the applicable references used in the last office action. However, when read and analyzed in light the specification, the invention as claimed does not support applicant's assertions. Actually, applicants are interpreting the claims very narrow without considering the broad teaching of the references used in the rejections. Additionally, it is important to note that the examiner interpretation of the claims, wherein, the examiner explicitly stated passages in the cited references which were not even addressed. The aforementioned assertion wherein all the limitations are not taught or suggested by the prior of record, was unsupported by objective factual evidence and was not found to be substantial evidentiary value. The examiner has provided in the last office action, a convincing one of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the cited references. Applicants are reminded that 37 CFR 1.111(b) states, a general allegation that the claims define a patentable invention without specifically printing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section. Therefore, the applicants have failed to provided prima facie evidence how the language of the claims patentably distinguished them from the cited references. Hence, the applicants' assertions are just mere allegation with no supported fact.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Applicants argued that, "Matsubara does not teach or suggest "verify that a file share exists ... can be accessed remotely and " ... to allow the shree to access the virtual folder item that is to be shared." (page 3).

Matsubara teaches P2P file sharing system such as GnuTella, Napster, and Kazaa, enables users to share files and other digital objects from devices under their control, that is, a file of a user (sharer) files on the system are available to be shared with other users (sharee) on the system. And the file is to be checked, confirmed and ensured that it was registered (existing on the system) as well as its content (sections 0008, 0037-0038 and 0039, also see abstract and fig. 3 and sections 0063-0079).

Applicants argued that, "Matsubara does not disclose a firewall ... will allow the sharee to access the shared virtual folder item." (page 4).

Matsubara teaches P2P file sharing system is on a security Internet network having a software or firewall as a gateway to protect from accessing the files, from which the distribution files can be encrypted to provide security, thus allowing the sharee to access the shared virtual item or files in a security manner with a security protocol (sections 0037, 0040-0047) (also see Balfanz's sections 0019 and 0034).

3. Claims 1-11, 19-40, 42-49, 51-56, 59-70 and 72-73 are pending in this application.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-11, 19-40, 42-49, 51-56, 59-70 and 72-73, as the best of understanding of examiner are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub. No.: US 2003/0225796 A1 of Matsubara in view of Pub. No.: US 2004/0103280 A1 of Balfanz et al. (hereinafter Balfanz).

With respect to claim 1, Matsubara teaches a method for sharing a virtual folder item in a computer system between a sharee and a sharee (a directory contained in the server system can be considered to be a virtual directory or folder; a peer-to-peer file sharing method and system comprising a server system and a plurality of client systems and virtual directory is maintained in the server system to facilitate file management by users in the client systems; this P2P file sharing system enable their users to share files directly among themselves (including sharer and sharee) : abstract, sections 0011 and 0048);

the sharer selecting a virtual folder item to be shared (using the browser UI, the user or a sharer to choose or select to share file, item, contacts, document, email, folder or directory: figs. 5 & 8, sections 0062 and 0068);

the sharer selecting at least one sharee with whom the virtual folder item is to be shared (in the P2P file sharing system enabling sharees to connect to the system remotely and the securely access the shared resources based on the ACL and access right, also, the user or the sharer may use cached user list and user access information in the user table, the user access information for a given user can be any suitable information that can be communicated to other users which allow such other users to communicate with the given user (sections 0042-0044) to search or select for a sharee,

who is selected by the sharer to share or view the selected item, file or directory based on the access right, determining who have permission access to that item, access right: see figs 5 & 8: sections 0062 and 0068); and

providing to the sharee access to the virtual folder item on the sharer's computer (In the P2P file sharing system consisting a cached user list, which is a list of those users who are "on-line" and who are able to provided access to the file or item or directory: section 0042, also there is a user table containing user access information which allows the users to communicate among themselves: section 0044 and an access control list containing an ordered list of rules provides to limit access to a file and access control is based on individuals or groups of individuals: access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files: see fig. 2, system 100, sections 0043, 0062 and 0004-0011 and 0027).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the



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shared files. Matsubara does not clearly teach storing information, corresponding to the item to be shared and corresponding to the sharee, on the sharer's computer.

However, Balfanz teaches a file sharing method and system for creating/storing a file sharing group and making it easy for users to securely share resources, files and communicating the share file information with each other as well the information on the sharee's machine: fig. 5, item 12(1) and 12(2); sections 0007, 0019, 0024-0025, and 0030-0032).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of Balfanz. One having ordinary skill in the art would have found it motivated to utilize the use of a list of file sharing group having member on the sharable virtual directory over the network (Balfanz's sections 0024-0025), into the system of Matsubara for the purpose of enabling pre-authorized devices to access and share those files securely (Balfanz's section 0001).

With respect to claim 2, Matsubara teaches wherein the sharer also designates a level of permission that is assigned to the sharee (see figs. 6 & 7, sections 0063-0079).

With respect to claim 3, Matsubara teaches comprising verifying that a file share exists from which the virtual folder item to be shared can be accessed remotely (downloading the remotely file: section 0038).

With respect to claim 4, Matsubara teaches wherein if a file share already exists, the permissions on the file share are set so as to allow the sharee to access the virtual folder item that is to be shared (sections 0063-0079).

With respect to claim 5, Matsubara teaches comprising verifying that any permissions associated with the virtual folder item that is to be shared are set so that the sharee can access the item (based on the cached user list and user access information: sections 0042-0044 & 0063-0079).

With respect to claim 6, Matsubara teaches comprising determining whether the Virtual folder item is protected, and if so verifying that the item can be shared with the sharee, and if the item cannot be shared, providing a notification to the sharer (detecting a selected item based on the NRB software: sections 0062-0063 and see fig. 9, section 0070).

With respect to claim 7, Matsubara teaches comprising verifying that the sharer's firewall will allow the sharee to access the shared virtual folder item (in the P2P file sharing system has NBR software and cached user list and user access information in user table to detect or act as a firewall to allow the users of the system to have access the selected item: sections 0042-0044 & 0062-0063).

With respect to claim 8, Matsubara teaches comprising recording one or more details of the sharing transaction, including at least one of what was shared, who it was shared with, or when it was shared (recording the sharing transactions over the Internet network with P2P file sharing system via file table, user table cached user list: see fig. 3 and sections 0039-0044; also section 0011).

With respect to claim 9, Matsubara teaches comprising sending a link to the sharee that allows the sharee to access the shared virtual folder item directly from the sharer's computer (file links: figs. 1 & 6, section 0063; also section 0027).

With respect to claim 10, Matsubara teaches comprising allowing the sharee to query the sharer's computer to see what the sharer has shared out with the sharee (figs. 5 & 8, retrieving the item's properties: sections 0062 and 0068).

With respect to claim 11, Matsubara teaches wherein the virtual folder item is an individual item that is shared directly, independent of a share status of a folder in which the item is saved (figs. 3 & 4, file/directory table containing the file's/directory's properties: sections 0038 and 0047).

With respect to claim 19, Matsubara teaches a set of computer-usable instructions that cause a request to provide access to a virtual folder item that is to be shared to be communicated to one or more other computer-program segments capable of executing said request (P2P file sharing system, a software or browser is installed for performing searches of the file properties, such as file name, file type, file size and files can be downloaded directory from one computer to another computer, for selecting files: see fig. 1 and sections 0004-0012 and 0027; also see fig. 14, and section 0082; with access control list and access control to the file: section 0043 and virtual directory for file management by users: section 0011).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups

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of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach from the sharee's computer directly to one or more other computer segments in the sharer's computer.

However, Balfanz teaches a file sharing method and system for creating/storing a file sharing group and making it easy for users to securely share resources, files and communicating the share file information with each other as well the information on the sharee's machine: fig. 5, item 12(1) and 12(2); sections 0007, 0019, 0024-0025, and 0030-0032).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of Balfanz. One having ordinary skill in the art would have found it motivated to utilize the use of a list of file sharing group having member on the sharable virtual directory over the network (Balfanz's sections 0024-0025), into the system of Matsubara for the purpose of enabling pre-authorized devices to access and share those files securely (Balfanz's section 0001).

With respect to claim 20, Matsubara teaches computer-usable instructions to verify that any permissions associated with the virtual folder item are set so that the item can be accessed (downloading the remotely file: section 0038).

With respect to claim 21, Matsubara teaches computer-usable instructions for determining whether the virtual folder item is protected, and if so, verifying that the item can be shared, and if the item cannot be shared, providing a notification (detecting a

selected item based on the NRB software: sections 0062-0063 and see fig. 9, section 0070).

With respect to claim 22, Matsubara teaches computer-usable instructions for recording one or more details of the sharing transaction, including at least one of what was shared, who it was shared with, or when it was shared (recording the sharing transactions over the Internet network with P2P file sharing system via file table, user table cached user list: see fig. 3 and sections 0039-0044; also section 0011).

With respect to claim 23, Matsubara teaches computer-usable instructions for sending a link that provides direct access to the virtual folder item (file links: figs. 1 & 6, section 0063; also section 0027).

With respect to claim 24, Matsubara teaches receiving a call issued by the sharer for setting at least one permission which will allow the sharee to access the item, and in response to the call, the permission is set for the item (P2P file sharing system, a software or browser is installed for performing searches of the file properties, such as file name, file type, file size and files can be downloaded directory from one computer to another computer , for selecting files: see fig. 1 and sections 0004-0012 and 0027; also see fig. 14, and section 0082; with access control list and access control to the file: section 0043 and virtual directory for file management by users: section 0011).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be

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based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach virtual folder item at the sharer's computer.

However, Balfanz teaches a file sharing method and system for creating/storing a file sharing group and making it easy for users to securely share resources, files and communicating the share file information with each other as well the information on the sharee's machine: fig. 5, item 12(1) and 12(2); sections 0007, 0019, 0024-0025, and 0030-0032).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of Balfanz. One having ordinary skill in the art would have found it motivated to utilize the use of a list of file sharing group having member on the sharable virtual directory over the network (Balfanz's sections 0024-0025), into the system of Matsubara for the purpose of enabling pre-authorized devices to access and share those files securely (Balfanz's section 0001).

With respect to claim 25, Matsubara teaches verifying that any permissions associated with the virtual folder item are set so that the sharee can access the item (downloading the remotely file: section 0038).

With respect to claim 26, Matsubara teaches determining whether the

virtual folder item is protected, and if so, verifying that the item can be shared with the sharee (sections 0063-0079).

With respect to claim 27, Matsubara teaches wherein when access may be unavailable to the virtual folder item, a notification is provided to the sharer (detecting a selected item based on the NRB software: sections 0062-0063 and see fig. 9, section 0070).

With respect to claim 28, Matsubara teaches wherein the sharer is able to limit the type of access that is provided to the virtual folder item (sections 0042-0044).

With respect to claim 29, Matsubara teaches recording one or more details of the sharing transaction (recording the sharing transactions over the Internet network with P2P file sharing system via file table, user table cached user list: see fig. 3 and sections 0039-0044; also section 0011).

With respect to claim 30, Matsubara teaches sending a link to the sharee that allows the sharee to access the virtual folder item directly from the sharer's computer (file links: figs. 1 & 6, section 0063; also section 0027).

With respect to claim 31, Matsubara teaches allowing the sharee to query the sharer's computer to see what the sharer has shared out with the sharee (figs. 5 & 8, retrieving the item's properties: sections 0062 and 0068).

With respect to claim 32, Matsubara teaches wherein the item that is shared is an individual item, which is shared directly. independent of a share status of a folder in which the item is saved (figs. 3 & 4, file/directory table containing the file's/directory's properties: sections 0038 and 0047).

With respect to claim 33, Matsubara teaches a set of computer-usable instructions that allow the sharee to access the virtual folder item through the sharer's computers independent of a share status of a physical folder (P2P file sharing system, a software or browser is installed for performing searches of the file properties, such as file name, file type, file size and files can be downloaded directory from one computer to another computer, for selecting files: see fig. 1 and sections 0004-0012 and 0027; also see fig. 14, and section 0082; with access control list and access control to the file: section 0043 and virtual directory for file management by users: sections 0011 and 0033-0037).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach the virtual folder item is stored on the sharer's computer.

However, Balfanz teaches a file sharing method and system for creating/storing a file sharing group and making it easy for users to securely share resources, files and communicating the share file information with each other as well the information on the sharee's machine: fig. 5, item 12(1) and 12(2); sections 0007, 0019, 0024-0025, and 0030-0032).



Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of Balfanz. One having ordinary skill in the art would have found it motivated to utilize the use of a list of file sharing group having member on the sharable virtual directory over the network (Balfanz's sections 0024-0025), into the system of Matsubara for the purpose of enabling pre-authorized devices to access and share those files securely (Balfanz's section 0001).

With respect to claim 34, Matsubara teaches wherein the sharer designates a level of permission that is assigned to the sharee, and additional sharees may receive different permissions (see figs. 6& 7, sections 0063-0079).

With respect to claim 35, Matsubara teaches wherein the sharer designates a permission for the item, and additional items may be assigned different permissions (section 0038).

With respect to claim 36, Matsubara teaches computer-usable instructions for determining whether the item is protected, and if so, verifying that the item can be shared with the sharee, and if the item cannot be shared, providing a notification to the sharer (detecting a selected item based on the NRB software: sections 0062-0063 and see fig. 9, section 0070).

With respect to claim 37, Matsubara teaches wherein when access may be unavailable to an item, a notification is provided to the sharer (fig. 9, section 0070).

With respect to claim 38, Matsubara teaches computer-usable instructions for recording one or more details of the sharing transaction (fig. 9, section 0070).

With respect to claim 39, Matsubara teaches computer-usable instructions for sending a link to the sharee that allows the sharee to access the shared item directly from the sharer's computer (file links: figs. 1 & 6, sections 0063 and 0027).

With respect to claim 40, Matsubara teaches computer-usable instructions for allowing the sharee to query the sharer's computer to determine what the sharer has shared out with the sharee (figs. 5 & 8, retrieving the item's properties; sections 0062 and 0068).

With respect to claim 42, Matsubara teaches designating an individual virtual folder on a sharer's computer to be shared independent of a share status of a folder in which the virtual folder item is saved, and sharing the individual item with a sharee such that the sharee is provided with access (figs. 3, 4, 5 & 8, sections 0038, 0047, 0062 and 0068).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach direct access to the individual item from the sharer's computer.

However, Balfanz teaches a file sharing method and system for creating/storing a file sharing group and making it easy for users to securely share resources, files and communicating the share file information with each other as well the information on the sharee's machine: fig. 5, item 12(1) and 12(2); sections 0007, 0019, 0024-0025, and 0030-0032).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of Balfanz. One having ordinary skill in the art would have found it motivated to utilize the use of a list of file sharing group having member on the sharable virtual directory over the network (Balfanz's sections 0024-0025), into the system of Matsubara for the purpose of enabling pre-authorized devices to access and share those files securely (Balfanz's section 0001).

With respect to claim 43, Matsubara teaches wherein the sharer designates a level of permission for the sharee, and additional sharees may receive different levels of permission (sections 0063-0079).

With respect to claim 44, Matsubara teaches verifying that any permissions associated with the item are set so that the sharee can access the item (section 0038).

With respect to claim 45, Matsubara teaches determining whether the item is protected, and if so, verifying that the item can be shared (section 0038).

With respect to claim 46, Matsubara teaches wherein when access is unavailable to an item, a notification is provided to the sharer (fig. 9 and section 0070).

With respect to claim 47, Matsubara teaches recording one or more details of the sharing transaction (fig. 3, sections 0039-0044).

With respect to claim 48, Matsubara teaches sending a link to the sharee that allows the sharee to access the item directly from the sharer's computer (sections 0027 and 0063).

With respect to claim 49, Matsubara teaches wherein the providing step comprises providing the sharee remote access to the item on the sharer's computer (fig. 1, P2P file sharing system over the Internet network with a plurality of client computer).

With respect to claim 51, Matsubara teaches wherein the set of computer-usable instructions cause the request to provide remote access to the at least one item (fig. 1).

With respect to claim 52, Matsubara teaches wherein the permission further allows the sharee to remotely access the item at the sharer's computer (fig. 1).

With respect to claim 53, Matsubara teaches wherein the set of computer-usable instructions allow the sharee to remotely access the item through the sharer's computer (fig. 1).

With respect to claim 54, Matsubara teaches wherein in the sharing step the sharee is provided with remote access to the individual item from the sharer's computer (fig. 1).

With respect to claim 55, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 56, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 59, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 60, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 61, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 62, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 63, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 64, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 65, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 66, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 67, Matsubara teaches a) receiving input from the sharer identifying a first item to be shared (figs 5 & 8; selecting one item via browser UI, sections 0062 and 0068);

b) receiving input from the sharer identifying at least one sharee with whom the first item is to be shared (cached user list and user access information in the user table: sections 0042-0044);

c) receiving a request from the sharee for access (retrieving the file/item's properties: sections 0062 and 0068); and

e) prohibiting access by the sharee to a second item stored in a same folder on the sharer's computer as the shared item, based on a non-shared status of the second item (providing to limit access to the file or item: sections 0042-0049).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach direct access to the individual item from the sharer's computer.

However, Balfanz teaches a file sharing method and system for creating/storing a file sharing group and making it easy for users to securely share resources, files and communicating the share file information with each other as well the information on the sharee's machine: fig. 5, item 12(1) and 12(2); sections 0007, 0019, 0024-0025, and 0030-0032).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of Balfanz. One having ordinary skill in the art would have found it motivated

to utilize the use of a list of file sharing group having member on the sharable virtual directory over the network (Balfanz's sections 0024-0025), into the system of Matsubara for the purpose of enabling pre-authorized devices to access and share those files securely (Balfanz's section 0001).

With respect to claim 68, Matsubara teaches wherein step e) comprises hiding the second item from the sharee (figs 5 & 8, checking the permission to access the file).

With respect to claim 69, Matsubara teaches a first data field identifying a shared status of a first file item stored in a folder (the status of file to be identified based on the cached user list, user access information in the user table and access control list: sections 0042-0044);

a second data field identifying a shared status of a second file item stored in the folder (sections 0042-0044); and

wherein the first data field indicates that the first file item is shared by a sharer user with a sharee user, and wherein the second data field indicates that the second file item is not shared by the sharer user with the sharee user (sections 0042-0044).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the

Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach data filed on the sharer's computer.

However, Balfanz teaches a file sharing method and system for creating/storing a file sharing group and making it easy for users to securely share resources, files and communicating the share file information with each other as well the information on the sharee's machine: fig. 5, item 12(1) and 12(2); sections 0007, 0019, 0024-0025, and 0030-0032).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of Balfanz. One having ordinary skill in the art would have found it motivated to utilize the use of a list of file sharing group having member on the sharable virtual directory over the network (Balfanz's sections 0024-0025), into the system of Matsubara for the purpose of enabling pre-authorized devices to access and share those files securely (Balfanz's section 0001).

With respect to claim 70, Matsubara teaches determining whether the item is protected and, if so, verifying that the item can be shared with the sharee, and if the item can be shared, determining whether to remove the protection from the item prior to sharing the item with the sharee (using de-registering process as shown in fig. 11, sections 0073-0076).

With respect to claim 72, Matsubara teaches wherein the instructions further comprise determining whether the item is protected and, if so, verifying that the item can



be shared with the sharee, and if the item can be shared, determining whether to remove the protection from the item prior to sharing the item with the sharee (using de-registering process as shown in fig. 11, sections 0073-0076).

With respect to claim 73, Matsubara teaches determining whether the item is protected and, if so, verifying that the item can be shared with the sharee, and if the item can be shared, determining whether to remove the protection from the item prior to sharing the item with the sharee (using de-registering process as shown in fig. 11, sections 0073-0076).

### **Conclusion**


7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

**Contact Information**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (**Written Authorization being given by Applicant (MPEP 502.03 [R-2])) or fax to (571) 273-4039 (Examiner's personal Fax No.)**). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner: Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY   
AUG. 10<sup>th</sup>, 2006

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER